G. R. S. 58]

Previous references.

File No. 175-15

1915. 16
(Court)

Serial Nos. 1 – 3

Later references.

Preserve
Apr
13/11/15

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 – 3

Part B for Jan. 16

SUBJECT.

Question of appointing
Sub-Registrars as Village Munsiffs

W D 1351—GPB—20,000—18-12-15

24. 1. 16.

G. R. S. 11] 191 5-16

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 175-15

FILE HEADING.

Question of appointing Sub-Registrars as Village Munsiffs

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

GPB—20,000-8-8-14

(2.

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

1) Draft to the Regr, Chief Court. The Ag. of Regr inviting opinion ~~as to~~ on the matter ~~queries~~ of appointment Sub Registrars as village Munsiffs in Sub Divns as per-tinently directed.

Gss

Ag. Mb
11/2/1915

Issues
Gs
11/2/15

821

Issued J 2678 & 9 Dy 13.2.1915
To The Regr, Chief Ct
The Ag. of Regr
Calls for opinion whether Spl Sub Regrs
Stations at the Hdrs may be appointed as Village Munsiffs
From the Regr, Chief Court.

822 J 2807

no 3876/264 Dy 27.2.15

State the reply that Spl Sub Regrs may be appointed as village Munsiffs.

No reply having been rec

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—10,000—10-6-14

Revs 2807 13-2-15. 13

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

from the Dy of Regs, a draft
reminder to sub.

3) As directed in person, enquiry has in the draft been made on the subject of appointing Ex officio Sub Regrs also as Village Munsifs. It is however a matter for consideration if the ~~be noted that~~ Taluk ~~Sheristadars~~ Rec Comr has not also to be consulted before giving add orders to Karnidars & Taluk Sheristadars who are ex officio Sub Regrs in Sub Taluks & taluks respy.

Reg.
26.3.15 NRR

4) Issue
EB
26/3

J3272

An ad interim

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Reminder Issued J3276 Dy 29.3.15
from the Dy. of Regrs
No 22552 Dy 6.4.15

J3212

GPB—10,000—10-6-14

Reminder stating that his opinion will be given on receipt of replies from the Regrs who have been addressed in the mat

(4

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

J3658

Paper under disposal

K

From the D.J. of Rajshahi

No 3018 dy 17.5.15

States that for the reasons stated in particular and generally also he is not in favour of appointing Sub-Rajshahi as Village Munsiffs

5) With regard to the last of the objections urged, it is submitted that suits based on documents in respect of immoveable property, which are compulsorily registrable, do not fall within the jurisdiction of Village Courts.

Regd Post 6 The Chief Court, however have no objection to the Spl Sub Rajshahi being appointed Village Munsiffs.

Regd 20/5/15

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—29.6.14

3658 al pee

(5

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

7) The Dy Registrar has explained at some length why ~~he considers that~~ the Sub Registrars shall not be asked to do the work of Village Munsiff under the Village Courts Regulation. This a point for orders whether the question may be dropped for the present.

ES 20/5

First Member)

8) I am not convinced by any of the reasons given by the D.G. of Regn. The file may be circulated & brought up at a meeting with the Dewan's permission.

28/6/15

Dewan 29/6

Dewan) 9/7/15

14/7/15

CS on leave 16/7 to 19/7

10)

88 16

GPB—50,000—29.6.14

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—1,000—19-7-13

(6

Extract from the Proceedings of the 358th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 25th August 1915.

7. SUBJECT. - (Clause viii of the Schedule).

(11) Question of appointing Sub Registrars as Village Munsiffs.

OPINION OF THE COUNCIL.

(12) The experiment may be tried in half a dozen selected places.

Sd/- M. Visvesvaraya.
Dewan of Mysore.

"Extract"

D. M. Narasinga Rao 18/V

Secretary to Government,
General Department.

(7

G. R. S. 12]

General and Revenue Secretariat. | C5 File No. 175 of 1915-16

Serial No.	
13	The file contains the Final Note signed by the First Member (Dewan)
1219 6.9.15.	

Dewan Raghava Rao 4/9

(8

Submitted to His Highness.

14 I submit herewith a 'Final Note'* by the First Member of Council on the question of appointing Sub-Registrars as Village Munsiffs under the Mysore Village Courts Regulation VII* of 1913.

2. 15 The resolution① of the Council that the experiment may be tried in half a dozen selected places may be approved.

M. Visvesvaraya
15th Sept 1915.

* Flag X

. Flag. Y

① Page 6 of office notes.

Son

Final Note by the First Member of Council.

(9)

Subject:—

Question of appointing Sub Registrars as Village Munsiffs.

---

16) While establishing Village Courts in various villages in the State, I considered that it would be advantageous to appoint Special Sub Registrars at Taluq Head Quarters as Village Munsiffs within the meaning of of Regulation VII of 1915. The opinion* of the Inspector General of Registration and of the Judges of the Chief Court were called for. The Inspector General of Registration reports* that all the District Registrars except that of Shimoga are of opinion that such of the Special Sub Registrars as have light work may be appointed as Village Munsiffs; but he himself is not in favour of the proposal. The Judges of the Chief Court are, on the other hand of opinion* that the Special Sub Registrars at Taluq Head Quarters may without objection be appointed as Village Munsiffs. I am not convinced by any of the reasons given by the Inspector General of Registration.

Flag Y.

Flag T Slr

* Paper under proposal

* Flag K Slr

Page 5 of Office Notes

Page 6 of Office Notes.

17) The question was considered by the Council, and it was resolved that the experiment may be tried in half a dozen selected places.

H. Manjunadayya

Dated ~~6/9~~ 3/9/15

First Member of Council.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

16 . Question of appointing Sub-Registrars as Village Munsiffs.

Order.

Confidential

D. O. No. 2910

PRIVATE SECRETARY MYSORE

THE PALACE,

MYSORE.

21st September 15.

D O No 51
Secl file
Confl. Secretary
22.9.15

My dear Sir,

18) In returning File No.4287 dated 15th September 1915, I am directed to say that His Highness would like to see some discussion of the reasons assigned by the Inspector General of Registration against the scheme of appointing special Sub Registrars as Village Munsiffs.

18) Those reasons appear to His Highness somewhat weighty and it is not sufficient in His Highness's opinion for the 1st Member of Council to merely brush them aside with the remark that he is not convinced by any of them.

Yours sincerely,

R Rangachar

Sir M. Visvesvaraya, K.C.I.E.,

Dewan of Mysore,

Bangalore.

Confidential

G. R. S. 12]

General and Revenue Secretariat. | C5 File No. 175 of 191 5-A

Serial No.

To be sent in conf box 5 to C5 Diwr 23/9

19) Submitted to Hon'ble Member. Diwr 23/9

20)

22) I am sorry I did not give full reasons, as I thought that the measure was to be an experimental one to be tried in a few places at first. Please put up the papers referred to in D.C.'s letter.

23/9/15

22) The reasons given by the D.C. of Regn are marked a, b, c & d in his letter for reference.

23) Reason (a).

There is nothing about "village folk" or "being adjudicated upon by themselves" in the Regn or the Statement of Objects & reasons. The rules deliberately give preference to the Patel & Sanbog, but do not prevent the D.C. approv

NOTE—Contn. sheet.

GPB—20,000—30-6-15

Serial No.

ing any other person. The Chief Object of the Regulation is to appoint a Tribunal near at hand & save expense & delay. This will be attained equally when a Govt Offr is appd as when he is a Lambdar or Patel.

24 (b) The best way of making Special Sub-Regrs less discontented is to give them more work, which if shown to be well done, may lead to better remuneration. This was meant to be tried as an experiment in a few places. A Sub Regr on 500 or 600 Rs is not likely to be liable to greater temptation in trying cases than a Patel on 300 or 400 Rs a month.

25 (c) The subordination is only judicial — not admve. Even if it exists, it is no objn. To how many authorities is a Dy Cr or an Asst (e.g.) Cr in one sense or other subordinate?

GPB—20,000—30-6-15

G. R. S. 12]

General and Revenue Secretariat. | 05 File No. 175 of 191

Serial No.

28(d) Such cases would be very ~~Sale~~ rare; and the Suit when necessary may be transferred under S. 20.

29) I thought it would be a useful & interesting experiment to make, and if it succeeds, Sub-Regrs with some Civil & Civil work & some enhanced emoluments would become a more useful & less discontented Class — though of their "discontent" I believe a little too much is being made with a view to get some ~~advantage~~ better terms for them.

23/9/15

1700
25.9.15

28) On further consideration I am inclined to think that it may not be desirable to appoint stipendiary officers as Village Munsiffs. Moreover

NOTE—Contn. sheet.

GPB—25,000 -22-3-15

G. R. S. 12]

General and Revenue Secretariat.

CS File No. 175 of 1915. 16

Serial No.	
	there appears to be no necessity to carry out such a scheme as a permanent arrangement.
29)	The case may be brought up again at a meeting of Council.
	19.11.15 AG
30)	C.S. Inclose Rattle next week Dewan 20/11 Dewan in Council
31)	The case may be sent to the Private Secy with a d.o. As an experiment this Scheme may be tried. Dewan 21/11
32)	Subs. with a draft d.o. letter. Dewan 30/11
	(Sgd Dewan)

2751
30.11.15

NOTE—Contn. sheet.

GPB—25,000—22-3-15

(16

D.O.No.

Bangalore,

3580/En on file 4th Dec. ...1915.

My dear Sir,

34) I write to invite your kind reference to Mr.Campbell's demi-official letter No.51 dated 21st September 1915 stating that His Highness would like to see some discussion of the reasons assigned by the Inspector General of Registration against the scheme of appointing Special Sub Registrars as Village Munsiffs.

35) The accompanying statement gives in full detail the information required.

36) The matter was again considered in Council informally on the 25th November 1915. The Council are still of opinion that the scheme may be tried as an experiment.

37) My own personal opinion is that there is no great advantage to be gained by entrusting the Sub Registrars with this work and that on the whole the proposal is undesirable . If, however, His Highness is inclined to agree with the opinion of the Council and to give a trial to the scheme, ~~I shall have no~~ there would be no particular objection.

38) May I request the favour of your placing the question before His Highness and communicating His Highness'

orders to me in due course ?

Yours sincerely,

4-12-15. Dewan.

SPL

Mirza M. Ismail Esqr.,B.A.,
Offg. Private Secretary to
H.H. the Maharaja of
Mysore.

STATEMENT

Sl. No.	Reasons assigned by the I.G. of Registration against the scheme.	Remarks of the First Member of Council.
1.	The object of the village Courts Regulation is to enable the village folk to have the disputes adjudicated upon by themselves. The appointment of Sub Registrars as Village Munsiffs will frustrate this object, as the people would be again 'led by the nose' as it were by a Govt. officer instead of being called upon ~~to~~ or made to think for themselves.	There is nothing about 'village folk' or 'being adjudicated upon by themselves' in the Regulation or the statement of objects & reasons. The rules deliberately give preference to the patel & sanbog but do not prevent the Dy. Commr's appointing any other person. The chief object of the Regn. is to appoint a tribunal near at hand and save expense and delay. This will be attained equally when a Govt. officer is appointed as when he is a sanbog or patel.
2.	The proposed measure is ~~xxx~~ inadvisable as the special Sub Registrars are, at least for the present, an ill-paid and discontented class and it is not moral to throw temptation in their reach.	The best way of making them less discontented is to give them more work, which if shown to be well done may lead to better remuneration. A Sub Registrar on Rs.50 or 60 is not likely to be liable to greater temptation in trying cases than a patel on Rs.3 or Rs.4 per mensem.
3.	From an administrative point of view, the Sub Registrar will, as Munsiff, be subordinate to the Munsiff and the District Judge. This multiplicity of masters will do good to no one.	The subordination is only judicial-not administrative. Even if it exists, it is no objection. To how many authorities is a Dy. Commr. or an Amildar in one sense or other subordinate?
4.	Subject matter of many of the petty suits may be based upon the very documents registered by Sub Registrars. It would be very inexpedient to require them to decide, when they would, probably, be in the right place to give evidence.	Such cases would be very rare, and the suit, when necessary, may be transferred under Section 20.

30/4

D. O. No. 3208 3658

D.O. No. 116
Encl: one file.

The Palace,
Mysore,
24th December 1915.

My dear Sir,

39) I am directed to return herewith the File No. C.30, dated 19th July 1915, re the appointment of Sub Registrars as Village Munsiffs received with your Demi Official letter No. 3580, dated the 4th December 1915, and to say that His Highness after a careful consideration of the proposal agrees with you in the opinion that it would not be desirable to entrust the Sub Registrars with this work.

Yours sincerely,
N. Narasimhaiyengar

Sir M. Visvesvaraya, K.C.I.E.,
Dewan of Mysore,
Bangalore.

G. R. S. 26]

C5 File No.

Serial No.

*Diary No. of letter replied to*_____

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 13. 2. 1915

Signed by Mr G. Srinivasa Iyer

No. (1) J 2678

(2) J 2679.

To

1) The Registrar,

Chief Court

2) The D.G. of Registration in

Mysore.

Sir,

I am directed to request you to furnish Govt with [1] the opinion of the Judges of the Chief Court [2] your opinion as to whether special Sub-Registrars stations at Taluk Head Quarters may

P.T. over.

1 To be entered in the Chief Court ~~chapter~~ letter

2 To be entered in the letter to D.G. of Regn

SUBJECT.

not advantageously be appointed as village Munsiffs within the meaning of Regulation VII of 1913.

The favour of an early reply is requested.

I have to

Ss
11/1/15
For Chief Secy: Legislative

No. 116
11/1/1915.

List of enclosures

Copied by

Examined by

GPB—25,000—4-3-13

3876/1264 of 27.2.15

11/Fs/12

cs 43

J 2807

Chief Court of Mysore,

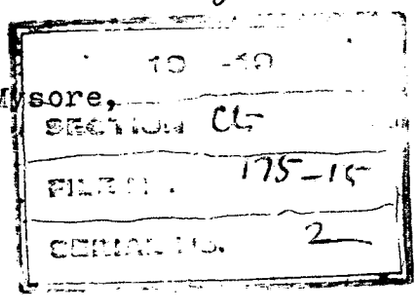
Bangalore, dated 24th February 1915.

From

N.T. Gopaliengar, Esq., B.A., LL.B.,

Registrar of the Chief Court of Mysore,

BANGALORE.



To

D.M. Narasinga Rao, Esq., B.A., B.L.,

Offg: Secretary to the Government of Mysore,

General and Revenue Departments.

Sir,

Adverting to your letter No. J. 2678/cts dated the 13th Instant I am directed to state that the Judges of this Court are of opinion that special Sub Registrars stationed at Taluq Head quarters may without objection be appointed as Village Munsiffs within the meaning of Regulation VII of 1913.

I have the honor ot be,

Sir,

your most obedient servant,

N. Gopaliengar

REGISTRAR.

M.S.L.

(72)

No. 3018

Office of the Inspector-General of Registration in Mysore,
Dated, Bangalore, 17th May 1915.

From

P. Raghavendra Rao, Esq., B.A., B.L.,

Inspector-General of Registration in Mysore,

B a n g a l o r e.

DIARY No. J. 3658

19 -19
SECTION C5
SERIAL No. 3

To

D. M. Narasinga Rao, Esq., B.A., B.L.,

Offg. Secretary to the Government of H. H. the

Maharaja of Mysore

General and Revenue Departments.

Sir,

With reference to your letters, Nos. J. 2679 and J. 3276, dated 13th February, and 29th March 1915, respectively, requesting my opinion in the matter of appointing Special Sub-Registrars as Village Munsiffs within the meaning of Regulation VII of 1913, I have the honor to state that all the District Registrars, except that of Shimoga, are of the opinion that such of the Special Sub-Registrars as have light work may be appointed as proposed. The District Registrar of Shimoga, however, states that the proposed arrangement is neither desirable nor practicable.

2. The object of "The Mysore Village Courts Regulation, VII of 1913" is to enable the village folk to have their petty disputes adjudicated upon by themselves so that they may be saved the time, expense and energy required for seeking redress in a regular Civil Court. There is much to commend this and the appointment of a Sub-Registrar as the adjudicating authority would considerably frustrate this object, as the people would again be lead, by the nose as it were, by a Government Officer, instead of being called upon, or made, to think and act for themselves. This

Vide statement of objects & reasons (11)

intention

(14

intention that the village folk should be educated to think and act for themselves is very clear from a perusal of the statement of objects and reasons which preceded the passing of this Regulation, as well as the rules framed under it. These, it seems to me, never contemplated the appointment of a Sub-Registrar or any other Government officer as Village Munsiff. Further, to give effect to the proposed measure is, in my opinion, inadvisable as the Special Sub-Registrars are, at least at present, an ill-paid and discontented class of officers and it is not moral to throw temptation in the reach of such as are sorely tried. Again, from an administrative point of view, the Sub-Registrar will, as Village Munsiff, become, in a sense, subordinate to the Munsiffs and the District Judge, and this multiplicity of masters will do no good to any one. Lastly, the subject matter of many of the petty suits may be based upon the very documents registered by Sub-Registrars and it would be very inexpedient, if not undesirable, to require them to decide, when probably they would be in the right place to give evidence. For these reasons in particular, and generally also, I am not in favour of the proposed arrangement of Sub-Registrars being appointed Village Munsiffs.

(a) 1

(b) 2

(c) See 4 73 & 74 of the Regn 3

(d) 4

I have the honor to be,

S i r,

Your most obedient servant,

P. Rajaratnam Pillai

17.5.15

Inspector-General of Registration.

17.5.15

B.K.
17-5-15.